IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 8TH OCTOBER 2007 / 16TH ASWINA 1929

WP(C).No. 28555 of 2007(Y)

PETITIONER:

S.RAJEEV,S/O. SRI.SUKUMARAN,
HINDU, AGED 40,RESIDING AT BETHEL BUNGLOW,
PEYAD PO, THIRUVANANTHAPURAM
WORKING AT U.D.CLERK, DIRECTORATE OF VHSE,
THIRUVANANTHAPURAM.

BY ADV. SRI.M.RAMASWAMY PILLAI
SRI.P.M.JOSEPH

RESPONDENTS:

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1. SECRETARY TO GOVERNMENT
GENERAL EDUCATION, SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE DIRECTOR,
VOCATIONAL HIGHER SECONDARY EDUCATION
HOUSING BOARD BUILDING, SANTHINAGAR,
THIRUVANANTHAPURAM.

3. THE PRINCIPAL
GOVERNMENT V.H.SCHOOL, MALAYINKIZH
THIRUVANANTHAPURAM.

4. THE PUBLIC SERVICE COMMISSION, PATTOM,
REPRESENTED BY ITS SECRETARY, PATTOM,
THIRUVANANTHAPURAM.

R1 & R2 BY GOVT. PLEADER SRI.A.J.VARGHESE.
R4 BY ADV. SRI.ALEXANDER THOMAS,SC FOR KPSC.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON

08/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

WP(C) No. 28555 of 2007 - Y

Dated this the 8th day of October, 2007

J U D G M E N T

The petitioner is a U.D.Clerk in the Vocational Higher Secondary Education Department. He possesses the prescribed qualification for appointment as a Vocational Higher Secondary School Teacher in English. At a time when there were not enough qualified hands, the petitioner was temporarily appointed as Vocational Higher Secondary School Teacher. Now, vacancies have been reported to the Public Service Commission for selection of candidates for the post. The petitioner now apprehends that consequent to advice of candidates by the Public Service Commission, the petitioner is likely to be reverted. The petitioner submits that he has all the required qualifications and therefore, he is entitled to be regularised in service. However, for the present, the petitioner would be satisfied with a direction to the first respondent to consider Ext.P8 representation filed by the petitioner.

2. I have heard the learned Government Pleader also.

3. In the facts and circumstances of the case, there would be a direction to the first respondent to consider Ext.P8 representation and pass appropriate orders thereon, as expeditiously as possible, at any rate within a period of two months from the date of receipt of a copy of this judgment. The petitioner may, if so advised, supplement Ext.P8 by further representation in that regard. The petitioner shall be afforded an opportunity of being heard also. However, I make it clear that I have not considered the entitlement of the petitioner for the reliefs prayed for on merits and it would be open to the first respondent to decide the entitlement in accordance with law. Till disposal of the representation, the petitioner shall not be reverted from his present post.

This writ petition is disposed of as above.

S. SIRI JAGAN,
Judge

Mbs/

S.SIRI JAGAN, J.

O.P.NO. OF 2001

J U D G M E N T

DATED: -0-2007